

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

SHELLY FREUND
714 MOORING ROAD, #202C
OCEAN CITY, MD 21842

Plaintiff

Vs.

NORD-DECK TRANSPORT, INC.
8 BREWSTER ROAD, SUITE 202 & 203
BRAMPTON, ON L6T 5B7, CANADA

And

JUJHARPAL SINGH
22 HUMPHREY STREET
WATERDOWN HAMILTON, ON L0R 2H1, CANADA

Defendants

SERVE ON:
RESIDENT AGENT FOR NORD-DECK
TRANSPORT, INC.
CORPORATION ID 9632816
2141 52A STREET SW
EDMONTON, T6X 1X4, CANADA

* * * * *

COMPLAINT

Now comes the Plaintiff, Shelly Freund, by and through her attorney, Robert R. Morrow, Esquire and the Law Offices of Robert R. Morrow, P.A. and hereby file suit against the Defendants, Jujharpal Singh (hereinafter Defendant Driver) and Nord-Deck Transport, Inc. (hereinafter Defendant Owner) and for reasons state:

Nature of Case

1. That this matter is for personal injuries sustained by Shelly Freund arising out of a motor truck collision caused by the Defendants which occurred on July 19, 2019 in Wicomico County, Maryland, USA.

Parties

2. That the Plaintiff Shelly Freund is a resident of Worcester County in the State of Maryland, USA.
3. That the Defendant Driver is a resident of Waterdown Hamilton, Canada.
4. That the Defendant Owner is a corporation with their headquarters located in Brampton, Canada.

Jurisdiction and Venue

5. That the jurisdiction is proper pursuant to 28 U.S.C. §1332(a).
6. That the venue is proper in the Northern Division of the United States District Court for the District of Maryland as the incident took place in Wicomico County, Maryland and the Plaintiff resides in Worcester County, Maryland.

Factual Allegations Related to All Claims

7. That on or about July 19, 2019 at approximately 10:37 a.m. the Plaintiff, Shelly Freund, was operating a motor vehicle on Route 50, Ocean Gateway, westbound, and had stopped with vehicles in front of her for a red light. The closest intersecting road was Hobbs Road. This location was in Wicomico County, Maryland.
8. That at the same time and place the vehicle operated by Defendant Driver and owned by Defendant Owner was traveling in the same direction as the Plaintiff, was unable

to stop and the 2019 freightliner Cascadia tractor and trailer collided into the rear of the vehicle the Plaintiff was driving.

9. That the vehicle being operated by the Defendant Driver Singh was owned by Defendant Owner, Nord-Deck Transport, Inc.
10. That the force of the rear end collision by the tractor and trailer striking the rear of the vehicle driven by the Plaintiff pushed the Plaintiff's vehicle forward far enough and with enough force to have the Plaintiff's vehicle strike the vehicle in front of her and that vehicle was pushed with enough force into the vehicle in front of it.
11. That at all times relevant herein Plaintiff Freund was exercising due care, caution and was free of negligence.

COUNT 1 – DEFENDANT DRIVER SINGH

Plaintiff Shelly Freund realleges the facts and allegations set forth in Paragraphs 1 – 11 inclusive hereinabove and further states as follows:

12. That Defendant Driver at the time of the collision complained of was acting as an agent, servant or employee of Defendant Owner and was operating the tractor trailer as a permissive driver.
13. That the Defendant Owner owned and/or leased the tractor trailer being driven by Defendant Driver and had the authority to allow Defendant Driver to drive the vehicle.
14. That Defendant Driver offered the Salisbury Police Department investigating officer information that the vehicle was owned by NORD-DECK Transport, Inc. and was insured by Old Republic Insurance, Policy #T35949B.

15. That Defendant Driver negligently operated the tractor trailer by failing to keep a proper lookout for other vehicles legally traveling and or stopped on the public road in front of him, negligently failed to maintain a safe speed to avoid a collision, negligently failed to stop for the lawfully stopped Plaintiff's vehicle in front of him, negligently followed too closely to avoid a collision and in many other respects acted negligently.
16. That Defendant Driver was ticketed for following vehicle too closely for which he plead guilty and paid a fine.
17. That as a direct and proximate result of the negligence of the Defendant Driver, Plaintiff Shelly Freund suffered great pain, permanent injury, mental anguish, loss of income, incurred medical expenses, was precluded from enjoyment of day-to-day life activities and was damaged in other respects. The Plaintiff may incur future medical expenses, loss of income and non-economic damages.

WHEREFORE, Plaintiff Shelly Freund demands judgment against Defendant Driver Singh in a sum over and above \$75,000.00 exclusive of interest and costs plus interest and Court costs and such and other and further relief as this Court may deem just.

COUNT II – DEFENDANT DRIVER SINGH AND DEFENDANT OWNER
NORD-DECK TRANSPORT, INC.

Plaintiff Shelly Freund realleges the facts and allegations set forth in Paragraphs 1 – 17 inclusive hereinabove and further states as follows:

18. That the negligence of Defendant Driver who was at all times acting as an agent, servant, and/or employee of Defendant Owner and was the proximate cause of the subject collision in that Defendant Driver negligently failed to keep proper control of

the tractor trailer to avoid a collision with the vehicle in which the Plaintiff was an occupant. Defendant Owner owned the tractor trailer.

19. The Defendant Owner is vicariously liable for the negligent operation of the tractor trailer driven by Defendant driver under the doctrine of respondeat superior.

20. That as a direct and proximate result of the negligence of the Defendants, Plaintiff Shelly Freund suffered great pain, permanent injury, mental anguish, loss of income, incurred medical expenses, was precluded from enjoyment of day-to-day life activities and was damaged in other respects. The Plaintiff may incur future medical expenses, loss of income and non-economic damages.

WHEREFORE, Plaintiff Shelly Freund demands judgment against Defendant Driver Singh and Defendant Owner NORD-DECK Transport, Inc. in a sum over and above \$75,000.00 exclusive of interest and costs plus interest and Court costs and such and other and further relief as this Court may deem just.

COUNT III – DEFENDANT OWNER NORD-DECK TRANSPORT, INC.

Plaintiff Shelly Freund realleges the facts and allegations set forth in Paragraphs 1 – 20 inclusive hereinabove and further states as follows:

21. That Defendant Owner owned and/or leased the tractor trailer being driven by Defendant Driver and had the authority to allow Defendant Driver to drive the vehicle.

22. That the Defendant Owner employed Defendant Driver and therefore Defendant Driver was the agent and/or servant and/or employee of Defendant Owner who was liable for the negligence of the Defendant Driver who was the proximate cause of the subject collision.

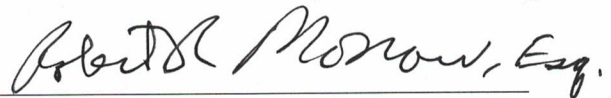
23. That the Defendant Owner is vicariously liable for the negligence of Defendant Driver who was the proximate cause of the subject collision.

24. That as a direct and proximate result of the negligence of the Defendant Driver and Defendant Owner, Plaintiff Shelly Freund suffered great pain, permanent injury, mental anguish, loss of income, incurred medical expenses, was precluded from enjoyment of day-to-day life activities and was damaged in other respects. The Plaintiff may incur future medical expenses, loss of income and non-economic damages.

WHEREFORE, Plaintiff Shelly Freund demands judgment against Defendant Owner in a sum over and above \$75,000.00 exclusive of interest and costs plus interest and Court costs and such and other and further relief as this Court may deem just.

Prayer for Relief

WHEREFORE, Plaintiff Shelly Freund demands judgment against the Defendants, individually and jointly, in a sum over and above \$75,000.00 exclusive of interest and costs plus interest and court costs and such and other and further relief as this Court may deem just.



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